

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
)	
-vs-)	Case No. CR-21-196-C
)	
TERA LYNN PRIEST,)	
)	
Defendant.)	

ORDER

This matter is before the Court on defendant's Unopposed Motion to Continue Jury Trial and to Extend Pretrial Deadlines. [Doc. No. 13]. Defendant seeks a continuance of this matter from the January 11, 2022 docket to the February 8, 2022 trial docket. Defendant also seeks an extension of certain filing deadlines. The Government does not oppose the requested relief.

The Speedy Trial Act gives this Court the discretion to "accommodate limited delays for case-specific needs" *United States v. Zedner*, 547 U.S. 489, 499 (2006). The Court finds the denial of the Motion under the facts of this case and as more fully set forth in the Motion would unreasonably deny the defendants reasonable time necessary for effective preparation, taking into account the exercise of due diligence by counsel.

The facts of this case justify an ends of justice determination that a continuance "outweigh[s] the best interested of the public and the defendant in a speedy trial." *United States v. Toombs*, 574 F.3d 1262, 1273 (10th Cir. 2009), citing 18 U.S.C. §3161(h)(7)(A).

in making this determination, the Court has specifically considered the length of the delay, the reason for the delay, the defendant's assertion of his rights, any prejudice to the defendant and other relevant circumstances. *See Toombs*, 574 F.3d at 1274. The period of delay caused by the granting of the motion to continue on this ground is excludable for purposes of the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(B)(iv), and the Sixth Amendment's speedy trial guarantee. Accordingly, Defendant's Motion is GRANTED.

IT IS THEREFORE ORDERED that this matter is STRICKEN from the January 11, 2022 trial docket to be reset on the February 8, 2022 trial docket. All other documents shall be filed in accordance with the deadlines identified in Defendant's motion.

It is so ordered this 8th day of December, 2021.



ROBIN J. CAUTHRON
United States District Judge